

Remarks

This REPLY is in response to the Office Action mailed December 8, 2008.

I. Summary of Examiner's Rejections

In the Office Action mailed December 8, 2008, Claims 8 and 15 were objected to because of informalities. Claims 1-3, 6-10, 13-17, and 20-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over McNeely et al. (U.S. Patent No. 7,117,411 hereafter McNeely) in view of Dubovsky (U.S. Patent Publication No. 2003/0055836).

II. Summary of Applicant's Amendment

The present Reply amends Claims 8 and 15, leaving for the Examiner's present consideration Claims 1-4, 6-11, 13-18, and 20-24. Reconsideration of the Application, as amended, is respectfully requested.

III. Claim Objections

In the Office Action mailed December 8, 2008, Claims 8 and 15 were objected to because of informalities. Accordingly, Claims 8 and 15 have been amended as shown above. Applicant respectfully submits that Claims 8 and 15 now conform to Examiner's objections and reconsideration thereof is respectfully requested.

IV. Claim Rejections under 35 U.S.C. 103(a)

In the Office Action mailed December 8, 2008, Claims 1-3, 6-10, 13-17, and 20-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over McNeely (U.S. Patent No. 7,117,411 hereafter McNeely) in view of Dubovsky (U.S. Patent Publication No. 2003/0055836).

Claim 1

Applicant respectfully traverses the rejection of Claim 1.

McNeely discloses that from an operational perspective, there exists a need for the capability for users in a network environment to share test cases and test case results for multiple devices under test in a test network environment. (Column 3, lines 28-31). According to an important aspect of the invention, these device-specific classes include functions that translate generic commands to device-specific commands. (Column 13, lines 58-60).

Dubovsky discloses methods for generating data structures for use with an environment based data driven test engine for computer programs which have a graphical user interface

(GUI). (Abstract).

As described above, McNeely appears to describe a test tool that can test multiple devices on a network. Since each device may have its own device-specific testing language, McNeely suggests using a tool that is device-generic (i.e., that can be used with different devices having different device-specific testing languages). McNeely appears to provide a test tool which translates device generic-commands to device-specific commands based on the device that is currently being tested. Thus, the user is only required to know the test-tool commands that are specific to McNeely's test tool, rather than the various device-specific commands for each device he intends to test.

It was asserted in the Office Action that "McNeely discloses a plurality of test tools each with their own specific tool-specific scripting language." (Page 3, first paragraph; Page 4, third paragraph). However, Applicant respectfully traverses this assertion. Applicant respectfully submits that, in McNeely, even though a user appears to be able to use the test tool without knowledge of any device-specific test commands, the user must be familiar with the device-generic commands specific to the test tool (i.e., the test-tool specific commands). Presumably, in McNeely, if a user decides to use a second test tool, then all of the user's previously written test cases (written in the test-tool specific commands) would likely be incompatible; since while a second test-tool is likely also to enable a user to test many devices using a device-generic language, this device generic language would be specific to that second test tool. As such, Applicant respectfully submits that McNeely, in view of Dubovsky, does not disclose or render obvious a plurality of different software test tools, wherein each software test tool is associated with a different tool-specific scripting language, as defined by Claim 1. Instead, Applicant respectfully submits that McNeely, in view of Dubovsky, merely discloses or renders obvious a single test tool having a device-generic, but test-tool specific, scripting language.

It was further asserted in the Office Action that McNeely discloses "a test case input file stored on the computer readable medium, that contains a plurality of generic interface commands that are abstractions independent of any of the tool specific scripting languages (Col. 15, lines 47-52 'an abstract command language command (ST4)'". Applicant respectfully traverses this assertion. As described above, McNeely discloses a single tool-specific language that is device-generic. Thus, while test cases compatible with McNeely may be used to test a variety of devices, the test cases must be used with the test tool described in McNeely. However, in the embodiment defined by Claim 1, the user is not tied to a single test tool, and instead, can write test cases in a tool-generic language, which can then be used to test different graphical user interfaces using different test tools.

In view of the above comments, Applicant respectfully submits that Claim 1 is neither anticipated by nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 8 and 15

The comments provided above with respect to Claim 1 are hereby incorporated by reference. For similar reasons as provided above with respect to Claim 1, Applicant respectfully submits that Claims 8 and 15 are likewise neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

Claims 2-4, 6-7, 9-11, 13-14, 16-18, 20-21, and 22-24

Claims 2-4, 6-7, 9-11, 13-14, 16-18, 20-21, and 22-24 depend from and include all of the features of Claims 1, 8, or 15. Claims 2-4, 6-7, 9-11, 13-14, 16-18, 20-21, and 22-24 have not been addressed separately but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim, and further in view of the comments provided above. Reconsideration thereof is respectfully requested.

V. Conclusion

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: February 9, 2009

By: /Nathan L. Feld/
Nathan L. Feld
Reg. No. 59,725

FLIESLER MEYER LLP
650 California Street, 14th Floor
San Francisco, California 94108
Telephone: (415) 362-3800
Customer No. 80548